

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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Before the Court is Defendant Steven Grimm's **Motion for Late Filing of Notice of Appeal** (#546, filed Aug. 12, 2013). The Court denied Defendant's Motion for New Trial, in its Order entered July 26, 2013. Counsel for the Defendant assumed that, because an appeal was currently pending with the Ninth Circuit, the Court's Order would also be covered by that appeal. However, Counsel for the Defendant has since determined this assumption to be erroneous. Defendant is within the 30-day rule prescribed for such an extension under Fed. R. App. P. 4(b)(4), and the Court finds that Counsel's erroneous assumption was excusable neglect. The Government does not oppose the Motion. For these reasons, the Court GRANTS Defendant's Motion. The Court extends the time to file a notice of appeal to September 11, 2013.

IT IS SO ORDERED

Dated: August 22, 2013.


ROGER L. HUNT
United States District Judge